

STATEMENT OF PURPOSE

RS21351C2

This legislation is to reinforce and strengthen Idaho's existing anti-bullying laws to include references to cyber-bullying, expanded coverage to actors who are minors but not students, and to emphasize that all school personnel have responsibilities in enforcing school policies.

The proposed legislation emphasizes that school personnel have an affirmative obligation to notify parents, students and school personal regarding school bullying policies and to address instances of harassment, intimidation, bullying and cyber-bullying. It is the intent of this legislation that training for school staff on bullying prevention and best practices in intervening in cases of bullying be included in local professional development to aid in the performance of this affirmative obligation.

At present, Idaho's anti-bullying criminal statute is solely punitive, providing that an offense "may" be an infraction. Under the proposed legislation, standard language relating to the commission of an infraction is added, removing the "may" so that, should charges be filed, this language appropriately allows the courts to determine whether an individual has in fact violated the provisions of this section of the law.

FISCAL NOTE

It is the intent of this legislation that this statute be carried out within the existing framework of the State Department of Education and State Board of Education. Thus there should be no impact on the state's General Fund.

Because most districts do already have some form of bullying policy in place and have been previously required to report incidents of bullying as part of the safe and drug free schools program and because an array of free training resources are available to local school districts there should be little to no increased costs to school districts.

Additionally, sound bullying policies, and effective training and reporting may reduce costs to districts by decreasing absenteeism, improving academic performance and graduation rates and may also avert the likelihood of law suits for districts currently without adequate policies, training, prevention or intervention strategies.

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